

DELAWARE WHIPPING POST KEEPS CRIMINALS AT BAY; ONE LASHING IS ENOUGH

"They Don't Come Back,"
Declares Clerk of the Peace
in Wilmington.

CROOKS' REIGN ENDED.

City Was Overrun by Hold-
Up Men From Outside; Now
There are Few or None.

By Joseph S. Jordan.
(Staff Correspondent of The Evening
World)

WILMINGTON, Del., April 29.—
Justice Lewis L. Fawcett of the
Brooklyn Supreme Court, in sentencing
a highwayman to ten years in
Sing Sing prison said:

"Men like you view the prison as an
asylum where bed and board are as-
sured you at the risk of your criminal
employment. You neither suffer pain
nor feel the penalty.

"The records of Delaware and of
England where the whipping post is
in use are barren of any burglar, high-
wayman, blackhand or white slaver
receiving a second beating or a sub-
sequent conviction.

"I would have such a statute, which
would extend not only to the highway-
man but to automobile thieves and to
those who steal from and beat women.
A generous use of the last will rid this
community of hardened criminals more
effectively than any other form of
punishment."

So far as the criminal records of the
State of Delaware go, Justice Fawcett
is right. The man who keeps the
records and the police, to the extent
that they will permit themselves to be
quoted, agree with the Brooklyn
jurist.

But the State of Delaware is not a
unit on the wisdom or the deterrent
force of the whipping post. The
State seems have just made the mini-
mum penalty for highway robbery
twenty years imprisonment and forty
lashes for the first offense.

John Wright is Clerk of the Peace
of Wilmington, and has been for
many years. As such he keeps the
records of commitments to the Castle
County Workhouse at Greensland,
where a whipping post is established
and where the lash is applied.

"They don't come back," he said.
"The lash is degrading and it keeps
professional crooks out of Delaware.
At least, it is very seldom that they
turn for a second beating. The
punishment of the whipping post is
tied out to burglars, highway
robbers and wife beaters. We haven't
any wife beaters here in consequence.

"Last fall Wilmington was overrun
by hold-up men from Baltimore, Phil-
adelphia and New York. It wasn't
safe for anybody to be on the street
after dark. With gun and blackjack
the crooks kept up a reign of terror.
The police were kept busy, but these
professional thugs made easy 'get-
aways' in their automobiles. The
legislature passed the law making
highway robbery punishable by twenty
years in prison and forty lashes on
the back and the highwaymen disap-
peared like furies of snow before the
morning sun.

"It's quite safe to walk the streets
at all hours now. Since the Legisla-
ture acted there have been only two
convictions for highway robbery. Sev-
eral years ago three professional pick-
pockets were sent to the workhouse
for six years and each given twenty-
five lashes at the whipping post. We
haven't had any more pickpockets in
this city since. A negro was convicted
of selling narcotics last week and sen-
tenced to three years and to receive
ten lashes. He has appealed the case.
He didn't mind the prison sentence,
but shrunk at the lash."

Former Attorney General David J.
Reinhardt, who only recently made
way in office for Sylvester D. Town-
send, the incumbent, is opposed to the
post. His successor, having been
sworn to carry out the law, is mute
on the subject. Andrew C. Gray of
the firm of Ward, Neary and Gray,
who preceded General Reinhardt in
office, is on record as being very much
in favor of the last as a deterrent
and preventive of crime.

Mr. Gray was out of the city yester-
day when The Evening World corre-
spondent sought him out, but Mr.
Reinhardt was on the ground and said
decisively:

"I am very much opposed to the
whipping post, but I do not believe that
it is a deterrent to law-breaking. It
degrades and brutalizes the prisoner,
and generally makes of him a hard-
ened criminal. I believe in long terms
(Continued on Eighth Page.)

HAL BILLIG DENIES ANY WRONGDOING WITH MRS. STOKES

Admits Sending Her Photo
While He Was Off in the
Aviator Service.

The cross-examination of Mrs. Helen
Wood Stokes in the divorce action
her husband, W. E. D. Stokes, has
brought against her, ended to-day.

It was her sixth day in the witness
chair, three of these days having
been used in her direct examination.

Instead of proceeding with his re-
direct questioning, Martin W. Lit-
tleton, her attorney, called Hal P.
Billig, the third co-respondent in the
case. Billig's testimony was a serial
denial of the truth of the evidence
given by previous witnesses as to
his associations with Mrs. Stokes in
this city and Denver.

Herbert C. Smyth, counsel for Mr.
Stokes, resumed the cross-examina-
tion of Mrs. Stokes at the opening of
the session. He sought to find
just how much she remembered
of Edgar T. Wallace, one of the co-
respondents, in 1910, the year he testi-
fied he saw her at the Waldorf-
Astoria and cut her "because he
didn't want to be bothered."

"If he spoke to me, as he says, it
made no impression on me," she said.
Elliott Brown, the "tall dark man,"
alluded by a witness to have gone
into her room in December, 1918, was
described as "not so tall" by Mrs.
Stokes, and she again denied that the
young man had come to her room.

**SHARP TILT OF COURT AND
COUNSEL.**
A sharp tilt between Martin W.
Littleton, counsel for Mrs. Stokes,
and Justice Finch occurred during a
reference by Mr. Smyth to Edgar
Wallace's residence before he took
the apartment at No. 13 East 53d
Street. He asked Mrs. Stokes if she
knew of Wallace living at Fifth Ave-
nue and 29th Street, Mr. Littleton
immediately leaned toward his ad-
versary and suggested: "Fourth
Avenue, I think."

Mr. Smyth objected to the sugges-
tion, remarking that "the truth will
probably come out." Following this
was the inquiry as to whether Mr.
Littleton was attempting to direct the
witness.

Mr. Littleton resented the implica-
tion and appealed to the court. Jus-
tice Finch responded, "You brought
that down upon yourself, Mr. Little-
ton. Proceed."

Immediately Mr. Littleton protested
against the implied reprimand and
explained that he had simply sought
to correct what he believed to be an
error in the record.

"I have reprimanded you only once,
Mr. Littleton," said Justice Finch,
"and that was when you made a
statement which was not borne out
by the record. This is not fair and is
contrary to the rules of trial practice."

"I am sure I have never done such
a thing," the attorney protested, "and
I think and I have a right to learn
from Your Honor the instance to
which you refer."

Justice Finch, distinguished by con-
tinuing the discussion, leaned back in
his chair. It was obvious that both
he and Mr. Littleton were under
great strain. After a moment's tense
silence Mr. Littleton said:

"I hold my principles as high as
Your Honor holds yours and I'm will-
ing to go to the last ditch to defend
them."

Then he sat down.
A few moments after this tilt the
trial was adjourned for ten minutes
to permit Mr. Smyth to go to another
part of the Supreme Court to be a
witness himself in the divorce action
of his sister against Wolcott L.
Beard. When Mr. Smyth returned he asked
only one question:

Q. Mr. Stokes was always kind to
your children? You testified to that
before Judge Lindsay in Denver. A.
I think I said that he never abused
them.

This closed the cross-examination
of Mrs. Stokes.

**HAL BILLIG GOES ON THE
STAND.**

Mr. Littleton, suspending his re-
direct inquiry, called to the stand
Hal P. Billig, another of the co-
respondents.

Billig, a young man in large-lensed
spectacles, testified that he was
twenty-five years old, lived in
Chicago and was born in Genoa,
Ill., where his father was a dentist.
He said he was now employed in a
sales corporation but had been in the
Denver office of a New York broker-
age house.

He answered a series of questions
flattering to him, all the allegations of
undue intimacy made on the witness

Bride's Burlap Trousseau And His Navajo Blanket Mark Wedding of Artists



THE WEDDING OF JUANITA AND JUAN MILLER. PHOTO
BY UNDERWOOD AND UNDERWOOD

Quaint Indian Ceremony Unites Juanita, the Daughter of Joaquin, to Juan Miller.

OAKLAND, Cal., April 29.—Omar's
moon of delight that knows no wane
is the honeymoon, and Juanita Miller,
poetess daughter of Joaquin Miller,
poet of the Sierras, who entered for
the second time the other day the
"valley of fulfilled desires," is enjoy-
ing it with her Juan, her "Lily Love."

The children of nature—Juan and
Juanita—are spending their honey-
moon on "the Heights," the wooded
estate of Joaquin Miller, in the cap-
ture of the second and "white" love
of Juanita's life, alone and unseen by
worldly eyes.

Juanita would have it so, just as
she would have her Juan wedded to
her in the light of the full April
moon on the night of April 22 under
the trees flooded with the silvery
light.

It was a strange ceremony Juanita
planned for herself. It began as a
play begins. Juanita was discovered
reclining upon a couch of flowers.
She was dressed in a burlap bag
with a rosary around her neck and
a crucifix upon her breast. Candles
lickered in the soft, scented breeze
of the California night. It was still

standing by Juliette Gassner, the French
nurse.
Q. Did you ever send Mrs. Stokes
a photograph of yourself? A. Yes,
when I was at Scott Field, in avia-
tion service during the war. I sent
pictures to all the family.
Q. Did you ever write on the one
you sent Mrs. Stokes, "To my dear
sweetheart," or words to that effect?
A. I never wrote that on any photo-
graph.

Billig said that when he came to
New York for the Christmas holidays
in 1918 it was his first visit to this
city. He telegraphed ahead to Mrs.
Stokes and was met at the station by
Mrs. Stokes and the children.
"I met Mr. Stokes as soon as I
reached the house," he said, "and he
and I talked about aviation. He sug-
gested that he take me to the Aero
Club. Mr. Stokes asked Mrs. Stokes
not to go to any public restaurant that
night on account of the waiter's
strike. Mrs. Stokes and I went to the
Winter Garden and to Miss Mildred
Adams's apartment with two other
people. We got in about 11:30 o'clock."

"When we entered the house Mr.
Stokes met us and said he wanted to
speak to Mrs. Stokes for a minute.
I went into a front room and I heard
them in a conversation. Later, while
I was upstairs, I heard Mr. Stokes
say to a nurse that he was going
to sit up all night. I came down
and said that if he had made that
remark on my account it wasn't neces-
sary as I was leaving."

"I left the house then and didn't
hear till next day that Mr. Stokes
had nailed up the door connecting the
front room, which was in Lane
occupied, and Mrs. Stokes's room."

Girl Killed by Express Wagon.
Yetta Hershowitz, seven, of No. 519
East 15th Street, was killed in the
street near her home to-day by a
wagon of the Peoples Express Company
of Newark N. J., driven by Robert Van
Pelt of No. 184 West Kinney Street,
Newark. Van Pelt was arrested.

"The cook's night out,"
says Mrs. Smith, "boils no
worry for me any longer.
Now we discovered Ancre
Cheese. Its new, coated
wrapper keeps it fresh and
clean, you know."

ANCRE
With the Chinese Roast Beef Flavor
CHEESE
—and it's Sharpest—Philly.

9 BROADWAY MILLER STORES
120 Nassau Street
421 Broadway (Canal St.)
535 Broadway (Spring St.)
640 Broadway (Bleecker St.)
742 Broadway (Astor Pl.)

757 Broadway (8th St.)
1440 Broadway (41st St.)
1608 Broadway (49th St.)
BROOKLYN STORE
29 De Kalb Ave.

**Week End
Surprise Combination**
1-lb. Box Bitter Sweets .54c
1-lb. Nut Topped Dates .44c
1 Jar Hard Candy .30c
Total Special All Three 85c
Usual Price \$1.28

**Two Extra
Fine Specials**
Chocolate Covered
Fudge Balls, Special, 24c lb.
Milk Chocolate
Covered Peanut
Clusters, Regular 44c lb.
Price 49c Special

Rare Offerings to Candy Lovers
You must know Miller quality—Miller values.
The delicious, tempting flavor will prove a revelation to candy
lovers. Crammed full of pure goodness, these specials will
quickly make you a Miller "Fan."

**APPELLATE COURT
ENDS BAN ON RAISE
IN ELECTRIC RATES**

Ruling Reversing Injunction
Opens Way to Boost
Forthwith.

The Appellate Division of the Su-
preme Court to-day unanimously
reversed the decision of Supreme
Court Justice Daniel F. Cohalan
granting to the City of New York
an injunction restraining the New
York Edison Company and the United
Electric Light and Power Company
from increasing the rates charged to
consumers under their schedules filed
July 1, 1917.

In an opinion written by Justice
Samuel Greenbaum, the Appellate
Court holds that the city is not en-
titled to an injunction, the matter, so
far as it has been brought before
the court, being within the jurisdic-
tion of the Public Service Com-
mission.

The case has been known as the
"fluctuating rates" case, the charges
being based on prevailing coal costs.
Under the ruling of the Public Service
Commission, which the Appellate
Division now holds to be valid, the
companies may charge whatever rates
they can prove their fluctuating costs
for coal may entitle them to exact.

Since Justice Downing granted a
stay against the order of Justice
Cohalan the companies have been im-
posing a charge of 9-10 of a mill over
the charge of seven cents per kilowatt
hour, in granting his order, now set
aside, Justice Cohalan provided that
the liability of the city should be
\$45,000 to the Edison Company and
\$15,000 to the United in the event of a
final decision against the city.

HYLAN LOSES SUIT TO ENJOIN PORT TREATY WITH N. J.

Justice Delehanty Denies
Permanent Injunction, Hold-
ing State Law Is Valid.

In the midst of the cross-examina-
tion of Mrs. Stokes in the divorce
suit of her husband, W. E. D. Stokes,
to-day, Herbert C. Smyth, counsel for
Stokes, asked Justice Finch for a
short adjournment in order to attend
to "some other business." Smyth
went to Justice Davis's part of the
Supreme Court, where Smyth's sister,
Mrs. Gabriella Beard, was the plain-
tiff in a divorce suit against Wolcott
L. Beard, short story writer and
former Major in the United States
Army.

Mr. Smyth testified that he had
made many ineffectual attempts to
compel Beard to support Mrs. Beard
and her two children. He was able,
however, he said, "to extract from
him one one occasion fifty or sixty
dollars." The witness told the court
he had been supporting his sister and
family since Beard abandoned them
several years ago.

Mrs. Beard testified that she and
the defendant were married June 17,
1901, and that she had not seen her
husband for twelve years. Two chil-
dren, Wolcott Leclair Beard, four-
teen, and Eugene, eleven, are living
with Mrs. Beard. While in the army
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Clifford G. Miller, a real estate
agent, testified that the defendant
rented an apartment from him in L-
cember, 1919, at No. 156 West 96th
Street. The defendant, Miller said,
occupied it with a "short, dark
woman, apparently thirty-five years
old." Beard, said Miller, introduced
this woman as his wife. Miller said
the couple owed him rent when they
departed without leaving any fol-
lowing address.

Several witnesses connected with
magazines told Justice Davis that
Beard had written short stories for
the periodicals. Each of them had
a different address of the defendant.
Beard was served with the papers
in the divorce action by publication.
Justice Davis reserved decision.

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HOLD UP STOKES CASE TO AID SISTER IN DIVORCE SUIT

Lawyer Asks Decree for Mrs.
W. L. Beard, Wife of Short
Story Writer.

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tion of Mrs. Stokes in the divorce
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agent, testified that the defendant
rented an apartment from him in L-
cember, 1919, at No. 156 West 96th
Street. The defendant, Miller said,
occupied it with a "short, dark
woman, apparently thirty-five years
old." Beard, said Miller, introduced
this woman as his wife. Miller said
the couple owed him rent when they
departed without leaving any fol-
lowing address.

Several witnesses connected with
magazines told Justice Davis that
Beard had written short stories for
the periodicals. Each of them had
a different address of the defendant.
Beard was served with the papers
in the divorce action by publication.
Justice Davis reserved decision.

Mr. Smyth testified that he had
made many ineffectual attempts to
compel Beard to support Mrs. Beard